

## **REMARKS**

This paper is submitted in reply to the Office Action dated April 21, 2006, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claim 24 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Additionally, claims 1 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0015489 to Anonsen et al. The Examiner did indicate, however, that claims 2-17, 19-23 and 25-29 were directed to patentable subject matter.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Applicants have amended claims 1, 18 and 24, and Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Now turning to the subject Office Action, and specifically to the § 101 rejection of claim 24, the Examiner will note that Applicants have amended this claim to recite that the method is performed by a computer executing program code resident on a computer-readable medium, as suggested by the Examiner. Withdrawal of the rejection and reconsideration of claim 24 are therefore respectfully requested.

Now turning to the art-based rejections, and more particularly to the rejections of independent claims 1 and 18, each of these claims has been rejected as being anticipated by Anonsen. While Applicants continue to traverse the Examiner's rejections, Applicants have nonetheless incorporated subject matter found to be allowable by the Examiner into each of these claims. Specifically, claims 1 and 18 have each been amended to recite that the parent or Join node is selected from the group consisting of a Left Join node, a Right Join node, a Left Exception Join node and a Right Exception Join node, which is consistent with the subject matter found allowable in a number of claims, e.g. claims 2, 6, 10, 14 and 26. As the Examiner has acknowledged, Anonsen does not disclose or suggest a parent or Join node that is any of the enumerated types of Join nodes, in combination with the other features recited in claims 1 and 18. Applicants also note that Anonsen is

directed to a method for translating an object query into a SQL query, and not to a method for optimizing a query, as is the subject of the rejected claims. Applicants therefore respectfully submit that claims 1 and 18 and allowable over the prior art of record, and reconsideration and allowance of these claims, as well as of claims 2-17 and 19-20 which depend therefrom, are respectfully requested.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

July 19, 2006

Date

/Scott A. Stinebruner/

Scott A. Stinebruner

Reg. No. 38,323

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Telephone: (513) 241-2324

Facsimile: (513) 241-6234